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5 Counsel for Defendant PESCE

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,  
10  
Plaintiff,

11 vs.

12 DANIEL PESCE,  
13 Defendant.

)  
) No. CR 09-1193 MHP

) **STIPULATION AND ~~PROPOSED~~**  
) **ORDER CONTINUING**  
) **RESTITUTION HEARING**

) Date: January 10, 2011  
) Time: 10:00 a.m.  
) Court: The Honorable Marilyn  
Hall Patel  
)

14  
15 \_\_\_\_\_  
16 STIPULATION

17 The parties agree to continue the restitution hearing in the above-captioned matter from  
18 January 10, 2011 until January 31, 2011 at 10:00 a.m. The purpose of the continuance is to allow  
19 defense counsel to confer with the Probation Office and the government regarding whether or not the  
20 United States intends to pursue restitution in the matter and/or the victim in this matter intends to  
21 pursue restitution. United States Probation Officer Teresa Hoffman has been contacted by defense  
22 counsel, and has no objection to moving the date of this hearing to January 31, 2011.

23 IT IS SO STIPULATED.

24 DATED: 1/7/11

25 \_\_\_\_\_/S/  
ELIZABETH M. FALK  
Assistant Federal Public Defender  
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1 DATED: 1/7/11

/S/  
ACADIA SENESE  
Special Assistant United States Attorney

4 ~~[PROPOSED]~~ ORDER

5 Based upon the aforementioned representations of the parties, and for good cause shown, it is  
6 hereby ORDERED that the restitution hearing in this matter be continued from January 10, 2011 to  
7 January 31, 2011 at 10:00 a.m.

9 DATED: January 7, 2011

10 THE HONORABLE MARILYN H. PATEL  
UNITED STATES DISTRICT COURT

